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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

In Re Aqua Metals, Inc. Securities Litigation

Lead Case No. 4:17-CV-07142-HSG

CLASS ACTION

**STIPULATION AND ORDER TO SET
BRIEFING SCHEDULE AND EXCEED
PAGE LIMITS RE MOTION TO
DISMISS AMENDED CONSOLIDATED
COMPLAINT**

Case No. 4:17-CV-07142-HSG

STIPULATION AND ORDER TO EXCEED PAGE LIMITS RE BRIEFING ON MOTION TO DISMISS
AMENDED CONSOLIDATED COMPLAINT

1 WHEREAS, on September 20, 2019, Plaintiffs filed their Amended Consolidated
2 Complaint for Violation of Securities Laws ("Amended Complaint") [Doc. 119]. The Amended
3 Complaint, excluding exhibits, is 205 pages long and contained 550 paragraphs of allegations.
4 *Id.*

5 WHEREAS, on September 27, 2019, counsel for Defendants contacted counsel for
6 Plaintiffs to discuss a stipulation as to briefing schedule as to Defendants' anticipated motions to
7 dismiss the Amended Complaint ("Motions") as well as setting appropriate page limits for
8 briefing given the size and nature of the Amended Complaint and the fact that Defendant
9 Stephen R. Clarke had separate counsel from the other Defendants.

10 WHEREAS, pursuant to those discussions, the parties agreed that the Defendants would
11 have until November 22, 2019 to file their Motions, that Plaintiffs would have until January 31,
12 2020 to file their response to the Motions, and that Defendants would have until March 2, 2020
13 to file their reply briefs.

14 WHEREAS, the parties also agreed to a proposed hearing date of March 12, 2020, or as
15 soon thereafter as is convenient to the Court and to the parties.

16 WHEREAS, the parties agreed that Defendants' motion papers would be no more than 50
17 pages combined for their respective briefs in support of the respective Motions, to be split
18 between Defendants as they deem appropriate, that Plaintiffs would be similarly permitted 50
19 pages for their brief in response, and that Defendants would be permitted 20 pages combined for
20 their reply briefing.

21 IT IS HEREBY STIPULATED AND AGREED, by and among the undersigned, that:

- 22 1. Pursuant to Local Rule 6-1, the deadline for Defendants to file their Motions is
23 continued to November 22, 2019.
- 24 2. Pursuant to Local Rule 6-1, the deadline for Plaintiffs to file their responses to
25 Defendants' anticipated Motions is continued to January 31, 2020.
- 26 3. Pursuant to Local Rule 6-1, the deadline for Defendants to file their replies in support
27 of their anticipated Motions is continued to March 2, 2020.
- 28 4. The Court shall set a hearing date of March 12, 2020, or as soon thereafter as is

convenient to the Court and to the parties.

5. The page limit imposed by Local Rule 7-4(b) with respect to Defendants' anticipated Motions is extended to fifty (50) total pages, to be divided between Defendants as they deem appropriate.
6. The page limit imposed by Local Rule 7-4(b) with respect to Plaintiffs' response to Defendants' anticipated Motions is extended to fifty (50) pages.
7. The page limit imposed by Local Rule 7-4(b) with respect to Defendants' anticipated reply briefs in support of their Motions is extended to twenty (20) total pages, to be divided between Defendants as they deem appropriate.

1 IT IS SO STIPULATED.

2
3 DATED: October 7, 2019

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Nicole Lavallee

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1 DATED: October 7, 2019

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21 DATED: October 7, 2019

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1 Pursuant to Civil L.R. 5-1(i)(3), I hereby attest that all other signatories to this document
2 have concurred in its filing.

3 By: /s/ Michael R. Hogue

4
5 PURSUANT TO STIPULATION, IT IS SO ORDERED:

6
7 DATED: October 8, 2019

